

JESSE J. GARCIA (CSBN 061223)
GARCIA, SCHNAYERSON & THOMPSON
ATTORNEYS AT LAW
225 West Winton
Suite 208
Hayward, California 94544
(510) 887-7445

Attorney for Defendant
JOSE JUAN PENALOZA-HILARIO

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

| | | |
|--------------------------------|---|----------------------------------------------|
| THE UNITED STATES OF AMERICA,) |) | CASE NO. CR-07-0645 MMC (JCS) |
| Plaintiffs, |) | |
| |) | STIPULATION AND (PROPOSED) |
| vs. |) | ORDER TO CONTINUE |
| |) | SENTENCING HEARING |
| |) | |
| JOSE JUAN PENALOZA-HILARIO, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Jose Juan Penaloza-Hilario, by and through his counsel, Jesse J. Garcia, and the United States Government, by and through its counsel, Barbara B. Silano, Assistant United States Attorney, jointly stipulate and respectfully request that the sentencing date currently set for July 1, 2009 at 2:30 p.m. be continued to August 19, 2009. This continuance is requested because counsel for defendant and Probation Officer needs additional time prepare presentence report and to prepare their sentencing position papers. Each of the

individual parties stipulate and concur with the requested continuance.

IT IS SO STIPULATED.

Dated: May 27, 2009

Respectfully submitted,

/s/ Jesse J. Garcia
JESSE J. GARCIA
Attorney for Defendant
JOSE JUAN PENALOZA-HILARIO


DATED: May 27, 2009

/s/ Barbara B. Silano
Authorized to sign for
BARBARA B. SILANO
Assistant United States Attorney
on 05/29/2009

IT IS SO ORDERED.

Upon good cause shown, the sentencing hearing currently scheduled for July 1, 2009 at 2:30 p.m. is VACATED, and the matter continued to August 19, 2009.

DATED: June 3, 2009


HON. MAXINE M. CHESNEY
United States District Judge